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Letter dated 4 March 2002 from the Secretary-General to the President of the Security Council

I have the honour to convey the attached communication, dated 28 February 2002, which I received from the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina.

I should be grateful if you would bring it to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

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Annex

Letter dated 28 February 2002 from the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina addressed to the Secretary-General

The Steering Board of the Peace Implementation Council requested me to inform you that today they accepted the offer made by the EU General Affairs Council to provide a European Union Police Mission (EUPM) to follow the International Police Task Force mandate from 1 January 2003.

At the same session, the Steering Board designated Lord Ashdown as the new High Representative for Bosnia and Herzegovina, and asked the Security Council to endorse his appointment.

I have enclosed a copy of the Steering Board communiqué of 28 February 2002 for your further reference.

I look forward to seeing you in New York next week.

(*Signed*) Wolfgang **Petritsch**

Enclosure

Communiqué issued by the Steering Board of the Peace Implementation Council at Brussels on 28 February 2002

The PIC Steering Board met at the level of Political Directors with the High Representative in Brussels on February 28, 2002. The Steering Board welcomed the opportunity to meet with UNMIBH, OSCE, UNHCR, UNDP, IMF and World Bank to recalibrate and streamline the international civilian implementation effort in Bosnia and Herzegovina. The presence of SFOR was also appreciated.

The Steering Board welcomes the work of the Election Commission of Bosnia and Herzegovina in preparing Bosnia and Herzegovina's first general elections under local responsibility on 5 October this year. The Steering Board underlines the responsibility of the Bosnian political leaders and institutions to ensure that the Bosnian people are able to exercise their democratic rights. The Steering Board appreciates OSCE's current and future engagement to assure a seamless transition of the BiH election operations to the competent authorities through seconding core staff to the Secretariat of the Election Commission. The Steering Board recognizes that the Bi[illegible] authorities have provided an initial amount of 1.1 million KM to the BiH Election Commission, and urges them to secure the rest of the necessary funding in time.

The Steering Board is encouraged by the recent re-enforced efforts by BiH political leaders to find agreement among themselves in the implementation of the 'Constituent Peoples' Decision. However, time to achieve a solution that will permit the elections to proceed as scheduled is fast running out. The Steering Board therefore strongly urges the political leadership in the country to focus on achievable solutions and to reach a final agreement on this matter, and welcomes the recognition by the BiH political leaders that this must be done by mid-March 2002. Failure to demonstrate 'ownership' on this issue would have serious negative consequences and would retard BiH's integration into European structures. On the other hand a domestic resolution would not only allow for the proper conduct of the October 2002 General Elections but would also serve as proof that BiH is indeed ready for forthcoming admittance to the Council of Europe.

The Steering Board endorses the refined Task Force Model as presented by the High Representative. This model will facilitate the development of a still more effective international presence, thus strengthening the role of the High Representative. It includes Rule of Law, Institution Building, Economic, and Return & Reconstruction Task Forces, a Cabinet of lead agencies chaired by the High Representative, and a Situation Group. The Steering Board welcomes this framework and the appropriate integration of BiH authorities into these structures. It also endorses the presented measures aimed at achieving closer and more efficient coordination in the field and at reducing IC field presence by 30% by the end of 2003.

The Steering Board commends OHR, and in particular Principal Deputy High Representative Donald Hays, for the additional extensive consultation process undertaken with all peace implementation agencies in BiH since the last Steering Board Meeting in December 2001. It appreciates the endorsement of the presented concept by all affected agencies on the ground. The Steering Board notes that based on the streamlining plan as well as on the completion of mandated tasks or their transfer to Bosnian authorities or permanent IC agencies, the OHR operational budget will further decline in the coming two years. The OHR plan sets an appropriate course for meeting the overall objectives of the streamlining process - essentially a re-calibrated IC presence in BiH with enhanced efficiency and the use of fewer resources - and should proceed to full implementation by the High Representative.

The PIC Steering Board welcomes and accepts the offer made by the EU General Affairs Council on February 18/19 to provide an EU Police Mission (EUPM), from January 1, 2003, to follow the end of the UN/IPTF mandate, which would ensure the continuing professional development of the police forces in Bosnia and Herzegovina for a period of three years. This will be done through mentoring, monitoring, and inspection of BiH police personnel and structures. It will be supported by the European Community's institution building programs, thus permitting a broad approach addressing the whole range of Rule-of-Law aspects. In this it will be cooperating closely with the Independent Judicial Commission, OSCE, and relevant bilateral programs under the umbrella of the Rule-of-Law Task Force. The Steering Board also welcomes the agreement of the EU to invite non-EU member states to participate in the EUPM. It appreciates the interest already shown and the upcoming consultations to this effect. The Steering Board welcomes the EU's intention to continue to coordinate with the UN and to consult with relevant organizations, in particular NATO and OSCE. The Steering Board notes the need for high-quality international police professionals to staff the Mission in order to ensure its effectiveness. The Steering Board offers its full support to the EU for achieving, in co-ordination with UNMIBH and OHR and in accordance with appropriate arrangements providing full compliance with the GFAP acquis, a seamless transition of responsibilities from UNMIBH/IPTF to the EUPM. The Steering Board requests the High Representative to inform the Secretary General of the United Nations of its decision.

The Steering Board takes note of the EU's intention to appoint the next High Representative as the European Union Special Representative (EUSR) in Bosnia and Herzegovina with the understanding that the role of the EUSR would not in any way prejudge the mandate of the High Representative, including his coordinating role with regard to the activities of all civilian organizations and agencies as set out in the Dayton Peace Agreement and subsequent PIC decisions.

The Steering Board endorses the reinvigorated strategy for judicial reform in 2002/03 in order to strengthen the Rule of Law efforts as proposed by the High Representative. In this context, it recognizes the importance of the creation of a High Judicial Council for BiH as well as the reform of key procedural laws. The Steering Board endorses the restructuring of the court system and the consequent reduction in the number of judges, which will require a selection process and termination of mandates. It invites the Council of Europe and other relevant institutions to provide advice to the OHR and the Independent Judicial Commission in order to refine the implementation plan of this strategy. It notes that the proposed strategy has been devised in response to calls by the authorities in BiH for firmer IC actions to tackle economic crime, corruption and problems inherent to the judicial system. The Steering Board insists on the need for measures that will contribute decisively to building an independent and more efficient judicial system that enjoys the confidence of the public and enhances the environment for foreign investment.

The Steering Board agrees that when the IJC's new mandate is put in place, IJC should be self-managed and directly accountable to its donors, while fully applying OHR administration and finance policies and procedures. The IJC shall continue to take policy direction from and be responsible to the High Representative

The Steering Board attaches great importance to the apprehension of Radovan Karadzic and all other ICTY indictees. It urges domestic authorities to arrest them without further delay and also calls on all indictees to turn themselves in voluntarily. Without exception all persons indicted for war crimes by ICTY must stand trial before the Hague Tribunal.

The Steering Board noted with regret High Representative Wolfgang Petritsch's announcement that he would stand down as High Representative at the end of May 2002. The Steering Board warmly congratulated High Representative Petritsch for his extraordinary commitment to the development of BiH and to the peace process. The Board emphasized that there has been considerable progress during his tenure over the last two and a half years in many key areas. As a result of High Representative Petritsch's efforts BiH is substantially more stable, democratic and closer to Europe than when he assumed office.

The Steering Board designated Lord Ashdown as the new High Representative for Bosnia and Herzegovina, according to the nomination put forward by the EU, to succeed High Representative Petritsch, and asked the United Nations Security Council to endorse his appointment.

The Steering Board reaffirmed that High Representative Petritsch would continue to have its full support up to the end of his mandate.